

## Department of Correction

### Follow up Questions from the August 3, 2020 Appropriations Committee Hearing and DOC Responses.

**Q: Total numbers for HEP C testing broken down by male/female inmates (include # of inmates that opted out of test).**

A: The following data is as of July 15, 2020:

#### HCV Testing

- 11,502 inmates were rapid HCV tested
- 889 of those were female
- 10,613 of those were male

#### Opt Outs

- 2,734 inmates opted out
- 174 of those were female
- 2,560 were male

**Q: How much federal money has DOC expended on COVID related expenses? What specifically was the funding used for?**

A: DOC has received and expended the following in Federal Funds on COVID-19:

CRF (SID 29561):

FY20 - \$4,240,243.68

FY21 - \$1,064,624.21 spent, \$2,096,794.74 encumbered

DOC was/is responsible for procuring PPE and other COVID related supplies, services and equipment for the State's pandemic response and have been assisting Emergency Management in staffing the EOC warehouse in New Britain. Per OPM DOC will not be expected to bear the cost of the statewide effort (it will not impact DOC's budget). Instead, a combination of FEMA and CRF funding will cover those costs ESF7 costs.

DOC has expended the following Federal Funds in support of the State's ESF7 effort:

ESF7 (SID 29554):

FY20 - \$61,836,139.65

FY21 - \$53,712,018.25 spent, \$106,334,880.43 encumbered

**Q: How does DOC decide which inmates get cases reviewed for medical compassionate release? What criteria has to be met?**

A: There are several mechanisms for release available to the Department of Correction (DOC), however there is no clearly defined Statute for the Department of Correction pertaining to "medical compassionate release". The two applicable release authorities for DOC are listed below.

The Board of Pardons and Parole has authority to provide “Medical Parole” and “Compassionate Parole”. These two authorities are listed below.

### Board of Pardons and Parole

By statute, BOPP can only grant release to inmates who fit the statutory criteria (below). DOC's discretionary release criteria are much less stringent, which is why many more inmates have been released via the Commissioner's' authority during the COVID-19 pandemic.

In summary, with regard to BOPP's Medical and Compassionate release authorities:

- Both are available for any crime other than capital felony or murder with special circumstances.
- Both require the inmate to be so debilitated as to be incapable of being a danger to society.
- Medical parole also requires that the condition be terminal (less than 6 months to live); compassionate parole does not (compassionate parole also allows for the condition to be mental deterioration and conditions caused by advanced age).
- For compassionate parole, the inmate must have done at least half his time; medical parole allows release at any point during an inmate's sentence without having a minimum period to serve.

[Sec. 54-131b](#). Eligibility for medical parole. The Board of Pardons and Paroles may release on medical parole any inmate serving any sentence of imprisonment, except an inmate convicted of a capital felony under the provisions of section [53a-54b](#) in effect prior to April 25, 2012, or murder with special circumstances under the provisions of section [53a-54b](#) in effect on or after April 25, 2012, who has been diagnosed pursuant to section [54-131c](#) as suffering from a terminal condition, disease or syndrome, and is so debilitated or incapacitated by such condition, disease or syndrome as to be physically incapable of presenting a danger to society. Notwithstanding any provision of the general statutes to the contrary, the Board of Pardons and Paroles may release such inmate at any time during the term of such inmate's sentence.

[Sec. 54-131k](#). Compassionate parole release.

- (a) The Board of Pardons and Paroles may grant a compassionate parole release to any inmate serving any sentence of imprisonment, except an inmate convicted of a capital felony under the provisions of section [53a-54b](#) in effect prior to April 25, 2012, or murder with special circumstances under the provisions of section [53a-54b](#) in effect on or after April 25, 2012, if it finds that such inmate (1) is so physically or mentally debilitated, incapacitated or infirm as a result of advanced age or as a result of a condition, disease or syndrome that is not terminal as to be physically incapable of presenting a danger to society, and (2) (A) has served not less than one-half of such inmate's definite or aggregate sentence, or (B) has served not less than one-half of such inmate's remaining definite or aggregate sentence after commutation of the original sentence by the Board of Pardons and Paroles.
- (b) Any person granted a compassionate parole release pursuant to this section shall be released subject to such terms and conditions as may be established by the Board of Pardons and Paroles and shall be supervised by the Department of Correction.

### Department of Correction

DOC has the ability to release and transfer offenders to a community based nursing home under CGS Section 18-100i, also known as Nursing Home Release. DOC also has broad furlough authority (CGS Section 18-101a) which can be used under the current circumstances to release inmates from DOC facilities for up to 45 days prior to their End of Sentence or discretionary release date (if furloughed prior to the start of any discretionary release, the inmate remains under DOC supervision unless they violate the terms of the furlough. If furloughed prior to End of Sentence the inmate is released from custody at the end of the furlough). With regard to release pursuant to CGS 18-100i, no inmates were released under this authority during the pandemic. There was and is concern that, during this crisis, the release of any offender on any type of discretionary release to 60 West (the Nursing Home) had/has the potential of putting offenders at a greater risk of getting COVID-19, based upon the high rates of COVID -19 cases in Nursing Homes. With regard to release under CGS Section 18-101a, there have been 320 releases since the start of the pandemic at the end of March. None, however, have been specifically for Medical Furlough. This is a release that is seldom utilized and is for *"The discretionary release of an inmate to obtain medical services not otherwise available"*. It is often not used as DOC can often provide care in its infirmary units or by way of outside hospital escorted medical trip. The inmates released under CGS Section 101a were for Furlough to End of Sentence, Furlough to Transitional Supervision or other discretionary release thru DOC or BOPP. There are multiple types of Furlough under the Statute and under the Administrative Directive.

[Sec. 18-100i](#). Release of inmate from custody and transfer to community based nursing home for palliative and end-of-life care.

- (a) The Commissioner of Correction, at the commissioner's discretion, may release an inmate from the commissioner's custody, except an inmate convicted of a capital felony under the provisions of section [53a-54b](#) in effect prior to April 25, 2012, or murder with special circumstances under the provisions of section [53a-54b](#) in effect on or after April 25, 2012, for placement in a licensed community-based nursing home under contract with the state for the purpose of providing palliative and end-of-life care to the inmate if the medical director of the Department of Correction determines that the inmate is suffering from a terminal condition, disease or syndrome, or is so debilitated or incapacitated by a terminal condition, disease or syndrome as to (1) require continuous palliative or end-of-life care, or (2) be physically incapable of presenting a danger to society.
- (b) The Commissioner of Correction may require as a condition of release under subsection (a) of this section that the medical director conduct periodic medical review and diagnosis of the inmate during such release. An inmate released pursuant to subsection (a) of this section shall be returned to the custody of the Commissioner of Correction if the medical director determines that the inmate no longer meets the criteria for release under subsection (a) of this section.
- (c) Any inmate released from the custody of the Commissioner of Correction pursuant to subsection (a) of this section shall be supervised in the community by the Department of Correction.

[Sec. 18-101a](#). Furloughs. The Commissioner of Correction, at the commissioner's discretion, may extend the limits of the place of confinement of an inmate as to whom there is reasonable belief he or she will honor his or her trust, by authorizing the inmate under prescribed conditions to visit a specifically designated place or places, within or without the state, for periods not exceeding forty-five days and return to the same or another institution or facility.

Such periods may be renewed at the discretion of the commissioner. Such furlough may be granted only to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers or for any compelling reason consistent with rehabilitation. Any inmate who fails to return from furlough as provided in the furlough agreement shall be guilty of the crime of escape in the first degree.

**Q: How many inmates take advantage of the two free phone calls per week?**

A: The Date range for the data below is 3/14/20 through 8/2/20.

Free Calls Related to Securus/CT DOC COVID19 Relief Program = 424,454

Total Minutes = 5,231,997

Cost = (using April 2020 CT actuals) = .237 per minute

Total Cost of Free Calls = \$1,239,983

**Q: What is the revenue loss to the state for providing the two free phone calls to inmates per week?**

A: The State/DOC receives a commission rate of 68% of all revenue from inmate calls. 68% of the Free Calls is \$843,188.

**Q: How many DOC workers filed for worker's comp due to COVID? How many of those have been denied?**

A: To date there have been five Worker's Compensation claims filed for COVID 19. All five have been paid without prejudice.

**Q: Have any of the inmates that were released tested positive for COVID?**

A: As of 08/04/20, there have been 1,433 confirmed positive cases. Out of 1,433, approximately 292 have already released from our facilities.

The requested information is as follows:

Type	Count
EOS	89 (30%)
Community Release	52 (18%)
Court Ordered Discharge	36 (12%)
Bond Out	32 (11%)
Special Parole	28 (10%)
Parole	14 (5%)
Re-Entry Furlough	12 (4%)
Transitional Supervision	10 (3%)
Transfer Parole	10 (3%)
Deceased	7 (2%)
DUI Home Confinement	2 (1%)

<b>Total:</b>	<b>292</b>
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These numbers are for inmates who tested positive at any point in time before release. The vast majority tested positive more than 14 days prior to release and were not symptomatic. Approximately 13 of these releases (either EOS, court ordered discharge, bond out or special parole release – all of which are non-discretionary releases) were symptomatic and/or had not completed their 14-day quarantine and were and reported to DPH at the time of release.

Please note: Offenders testing COVID-19 positive were, prior to their release into the communities (community release, special parole, parole, re-entry, transition supervision, transfer parole and DUI home confinement), medically cleared by DOC Medical Staff following the guidelines of CDC and the Connecticut Department of Public Health. Community releases, special parole, parole, re-entry, transition supervision, transfer parole and DUI home confinement.

**Q: Number of people who work for DOC by job class, by shift, and by facility.**

A: Please see the attached spreadsheet

**Q: Number of inmates that are a risk score level of 3 or higher that have a behavioral health score of 3 or higher by facility.**

A: The requested information is as follows:

<b>MH SCORE</b>	<b>STATEWIDE TOTAL</b>
MH3	2,419
MH4	369
MH5	52
Statewide TOTAL INMATES (MH1-5)	9,613

<b>All Mental Health Scores by Facility</b>							
	<b>MH Score</b>						
<b>Facility</b>	<b>Unclass</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Total</b>
BRIDGEPORT CC	1	171	237	181	2	1	593
BROOKLYN CI	0	158	164	0	0	0	322
CHESHIRE CI	0	387	522	186	0	0	1,095
CORRIGAN CI	1	163	264	179	1	5	613
GARNER	0	68	125	82	226	20	521
HARTFORD CC	3	225	240	283	5	1	757
MACDOUGALL	0	439	599	367	1	0	1,406
MANSON YI	0	55	68	77	15	2	217
NEW HAVEN CC	0	215	287	106	0	1	609
NORTHERN CI	0	17	23	47	1	1	89

NORTHERN INFIRMA	0	0	1	1	0	0	2
OSBORN CI	0	219	381	312	71	8	991
RADGOWSKI	0	103	131	0	0	0	234
ROBINSON CI	0	336	416	53	0	0	805
WALKER RC	0	142	157	113	0	0	412
WILLARD-CYBULSKI	0	204	183	55	0	0	442
YORK CI	0	19	54	377	47	13	510
<b>Total</b>	<b>5</b>	<b>2,921</b>	<b>3,852</b>	<b>2,419</b>	<b>369</b>	<b>52</b>	<b>9,618</b>

<b>Mental Health Scores of those with Overall Risk Score greater than 2</b>						
<b>Facility</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Total</b>
BRIDGEPORT CC	158	223	169	2	1	553
BROOKLYN CI	143	152	0	0	0	295
CHESHIRE CI	342	474	173	0	0	989
CORRIGAN CI	151	250	172	1	5	579
GARNER	64	114	82	210	19	489
HARTFORD CC	196	215	268	5	0	684
MACDOUGALL	398	535	333	1	0	1,267
MANSON YI	49	50	71	15	1	186
NEW HAVEN CC	197	260	97	0	1	555
NORTHERN CI	17	23	47	1	1	89
NORTHERN INFIRMA	0	1	1	0	0	2
OSBORN CI	138	239	209	54	7	647
RADGOWSKI	55	79	0	0	0	134
ROBINSON CI	124	162	17	0	0	303
WALKER RC	111	122	109	0	0	342
WILLARD-CYBULSKI	0	0	0	0	0	0
YORK CI	15	37	253	38	9	352
<b>Total</b>	<b>2,158</b>	<b>2,936</b>	<b>2,001</b>	<b>327</b>	<b>44</b>	<b>7,466</b>

**Q: What preventative maintenance has been done to make sure COVID isn't transmitted via the ventilation systems?**

A: DOC HVAC systems (both in our facilities and at our central office) are meeting the guidelines promulgated by the CDC for ventilation systems. We have or are in the process of increasing the filter rating at all of our buildings to meet the MERV 13 standard identified in the CDC guidelines. We are allowing the maximum amount of fresh air into our buildings as possible. Many of the cell areas in our facilities are actually 100% fresh air supplied. We are not able to open windows in most spaces but where possible this has been allowed. DOC's maintenance schedule for its HVAC systems is compliant.

**Q: How many inmates that were released during the pandemic were end of sentence?**

A: 1,184 offenders ended their sentence while on community supervision, and 1,123 offenders ended their sentence direct from a DOC facility between 03/01/20 to 07/31/20 (2,307 total)

**Q: What has DOC done to further waste water testing for COVID? Any plans/discussions with the governor's office to expand this?**

A: DOC has taken a preliminary look at wastewater testing. As the strategy becomes more widely available, and is validated, DOC will consider into its operational plan.

**Q: What is the current Health Services staffing level, the number of vacant Health Services positions, and the types of positions that are vacant.**

A: The current staffing for health services is 669.

The breakout is as follows:

Nurse (Correctional Facility)	145
Licensed Practical Nurse	95
Head Nurse Correctional Facility	57
RN (Per Diem)	56
Clinical Social Worker	55
Professional Counselor	32
LPN (Per Diem)	26
Advanced Nurse Practitioner	21
Supervising Nurse Correctional Facility	19
Dental Assistant	14
Dentist	14
Principal Physician	11
Supervising Psychologist 1	10
Phlebotomist	10
Medical Records Specialist 1	9
Clerk Typist	7
Office Assistant	7
Staff Radiological Technologist	6
Secretary 1	6
Principal Psychiatrist	6
Supervising Psychologist 2	6
Medical Records Specialist 2	5
Secretary 2	5
Dental Hygienist 1	5
Physician (Per Diem)	5
Medical Records Clerk	4
Temporary Worker (Retiree)	4
Laboratory Assistant 3	3
Regional Chief Op Officer	3
Staff Physician	3
Staff Psychiatrist	2
Physician Assistant	2

Optometrist	2
Professional Specialist	2
Dental Hygienist 2	1
Rehabilitation Therapist 2 (Music)	1
Nurse Consultant	1
Rehabilitation Therapist 2 (Therapeutic Recreation)	1
Clinical Social Worker Associate	1
Dental Director (DOC)	1
Associate Professional Counselor	1
Laboratory Assistant 2	1
Regional Medical Director (DOC)	1
Chief Operating Officer	1
Medical Records Supervisor 1	1
Psychiatrist (Per Diem)	1
<b>Total</b>	<b>669</b>

There are currently 106 vacancies.

The breakout is as follows:

Nurse (Correctional Facility)	52
HeadNurseCorrectionalFacility	7
ClinicalSocialWorker	6
LicensedPracticalNurse	5
ProfessionalCounselor	4
Physician(PerDiem)	3
PhysicianAssistant	3
PrincipalPhysician	3
AdvancedNursePractitioner	3
SupervisingNurseCorrFac	2
DirOfNursing2	2
PrincipalPsychiatrist	2
RN(PerDiem)	2
NurseConsultant(General)	2
SupvsngPsych2(Clin)	1
LPN(PerDiem)	1
Secretary1	1
Regional Chf Op Officer	1
DentalAssistant	1
Secretary2	1
Nurse	1
SupvsngPsych1(Clin)	1
ChfNurseExec	1
StaffPhysician	1



<b>Total</b>	<b>106</b>
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